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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,927	05/10/2001	Samuel D. Pritchett	TI-31004	5842

7590 01/25/2005

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EXAMINER

LE, LANA N

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/852,927	PRITCHETT ET AL.	
	Examiner	Art Unit	
	Lana N Le	2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-34 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 35-40 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Election/Restrictions

1. Newly submitted claims 35-40 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:
2. The newly submitted claims 35-36 and 39-40 are directed to a timing sequencer for signaling a transceiver section to enter power up or power down states responsive to a received signal without requiring further signaling from an external source or peripheral device. The previously claimed invention, claims 1-13, is directed to a timing sequencer in a portable wireless communication terminal where the transceiver section enter power up or power down states without requiring further signaling from a baseband processor of the portable wireless communication device. Therefore, it is classified in a different subclass required for search, i.e. 375/222.
3. The newly submitted claims 37-38 are directed to an apparatus comprising a frequency generator, a plurality of registers, an input for receiving from a processor. The previously claimed invention, claims 14-22, are directed to a portable wireless communication terminal having a transceiver section, a frequency generator, a plurality of registers, an input for coupling a baseband processor of the portable wireless communication terminal. Therefore, the newly submitted claims are not specific to a

portable wireless communication device comprising a baseband processor component and are classified within a different subclass required for search, i.e. 375/222.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 35-36 and 39-40 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification and search area, restriction for examination purposes as indicated is proper.

Response to Arguments

4. Applicant's arguments, see page 14, line 5 - page 16, line 5 filed 08/20/04, with respect to claims 1 and 9-13 have been fully considered and are persuasive. The rejection of claims 1, 9-13 has been withdrawn and are allowable for the reason as set forth in applicant's remarks, page 14, line 5 - page 16, line 5.

5. Applicant's arguments, page 12, line 19 – page 13, line 25, filed 08/20/04, with respect to claim 23 have been fully considered and are persuasive. The rejection of claim 23 has been withdrawn and are allowable for the reason as set forth in applicant's remarks, page 12, line 19 – page 13, line 25.

6. Regarding claims 14-22 and 26-34, they are allowable for the reason as set forth in the previous office action, filed 04/08/04.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Crawford (US 5,796,783), Digital Transmission System.
- Richards et al (US 2003/0,232,612), Method and Apparatus for Converting RF Signals to Baseband.
- Brardjanian et al (US 6,567,480), Method and Apparatus for Sampling Timing Adjustment and Frequency Offset Compensation.
- Schmal et al (US 6,658,244), Method And Circuit For Compensation Control Of Offset Voltages In A Radio Receiving Circuit Integrated In A Circuit Module.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lana N Le whose telephone number is (703) 308-5836. The examiner can normally be reached on M-F.

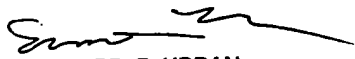
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F Urban can be reached on (703) 305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lana Le

January 18, 2005



EDWARD F. URBAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600